

# Proceedings in the Islamabad High Court Regarding the Alleged "Blasphemy Business" and the Request for a Judicial Commission in Pakistan

## **I. Executive Summary:**

Pakistan's legal and social landscape is currently grappling with serious allegations of a sophisticated criminal enterprise known as the "blasphemy business." This alleged racket involves the entrapment and subsequent extortion of individuals through the exploitation of the country's stringent blasphemy laws, primarily targeting online activities. The modus operandi reportedly includes the use of deceptive tactics, such as "honey-trapping," to induce individuals into sharing content deemed blasphemous, followed by accusations and demands for money. In response to these alarming claims, petitions have been filed in the Islamabad High Court (IHC) seeking the formation of a judicial commission to conduct an independent investigation. The IHC, under the presiding Justice Sardar Ejaz Ishaq Khan, has been actively hearing arguments regarding the necessity and feasibility of such a commission, expressing notable dissatisfaction with the government's response to the serious allegations. While the petitioners advocate for an independent inquiry to uncover the truth and hold perpetrators accountable, arguments against the commission's formation have also been presented, primarily by legal representatives of those allegedly involved in the "blasphemy business" and a complainant in related cases. The ongoing proceedings in the IHC are taking place against the backdrop of Pakistan's controversial blasphemy laws, which have a long history of misuse and have been a source of significant human rights concerns both domestically and internationally.

The convergence of online activities, the strict legal framework surrounding blasphemy, and the reported criminal exploitation has created a precarious situation for many individuals in Pakistan. The ease with which online interactions can be manipulated and the severe penalties associated with blasphemy accusations, including the death penalty, make individuals highly susceptible to exploitation. The allegations of a "blasphemy business" underscore a disturbing trend where these vulnerabilities are being actively targeted for financial gain, pointing to a potential systemic failure in safeguarding citizens from the misuse of these sensitive laws.

## **II. Understanding the "Blasphemy Business" Allegations:**

The emergence of allegations concerning an "organized blasphemy blackmail racket" gained significant traction following the circulation of a report by the Special Branch of the Punjab Police in January 2024. This document has become a central piece of evidence presented in the petitions before the Islamabad High Court. The findings of the Special Branch report detailed the operational methods of a suspected gang involved in ensnaring young individuals in fabricated blasphemy cases with the primary objective of extorting money from them.

Disturbingly, the report also suggested that this criminal enterprise was operating in collusion with certain officials within the Federal Investigation Agency (FIA), the very agency tasked with investigating such crimes. In light of these serious revelations, the Special Branch report explicitly recommended that a comprehensive probe be launched to thoroughly investigate the clandestine activities of this alleged gang.

The alleged tactics employed by the "blasphemy business" reportedly involve a sophisticated method of online entrapment, often referred to as "honey-trapping" . This reportedly begins with the use of fake online profiles, often portraying young women, on social media platforms such as Facebook . After initiating contact, these operatives allegedly work to build trust and rapport with their targets through private conversations, often on platforms like WhatsApp . Once a level of trust is established, the victim is reportedly sent a message containing blasphemous imagery or text. If the unsuspecting individual inquires about the content or forwards it, they are immediately blocked by the operative and subsequently reported to the authorities, accused of disseminating blasphemous material online. This orchestrated sequence of events then leads to the victim's arrest and, allegedly, to demands for substantial sums of money in exchange for having the charges dropped .

The scale of this alleged criminal enterprise is believed to be significant. The National Commission for Human Rights (NCHR) conducted its own independent investigation and corroborated the existence of an organized network that is reportedly exploiting the blasphemy laws for financial gain through systematic extortion, estimating that over 450 individuals have fallen victim to these fabricated accusations . The NCHR report further indicated that the majority of those targeted come from low-income or middle-class backgrounds, making them particularly vulnerable to the financial demands of the extortionists . Disturbingly, reports suggest that hundreds of these alleged victims are currently languishing in various jails across Pakistan, including Adiala Jail, Lahore Jail, Kot Lakhpat Jail, and Karachi Central Jail . Perhaps the most concerning aspect of these allegations is the reported collusion between the "blasphemy business" gang and certain officials within the FIA's Cybercrime unit . The Special Branch report explicitly mentioned this collaboration , and lawyers have also voiced serious concerns about the involvement of FIA officials, particularly those from the Cybercrime Wing, in these elaborate entrapment schemes . This alleged complicity would effectively allow the "blasphemy business" to report their victims to the FIA, who would then proceed with arrests and file charges based on the very evidence that was allegedly fabricated by the gang . The implications of such collusion are profound, raising serious doubts about the integrity of Pakistan's legal system and the fundamental principles of the rule of law .

The intricate nature of the alleged "blasphemy business," involving deceptive online tactics, a significant number of victims, and the potential complicity of state law enforcement officials, strongly suggests a well-organized criminal operation rather than isolated instances of misuse. This indicates a deeper systemic vulnerability where individuals are not only at risk from the broad application of blasphemy laws but also from criminal elements who are reportedly exploiting these laws with possible support from within the state apparatus.

### **III. Islamabad High Court Proceedings and the Judicial Commission Request:**

In response to the alarming allegations surrounding the "blasphemy business," support groups representing the families of individuals reportedly ensnared by this racket filed petitions in the Islamabad High Court in 2024 . These petitions were brought on behalf of over one hundred young individuals who had been booked by the FIA on charges of blasphemy for allegedly sharing offensive content online . The central demand of the petitioners was the establishment of an independent judicial commission tasked with investigating the claims of fabricated evidence and assessing the legitimacy of the First Information Reports (FIRs) registered by the FIA in these cases .

The Islamabad High Court, under the purview of Justice Sardar Ejaz Ishaq Khan, took cognizance of the gravity of the situation and, on March 21, 2025, ordered the live broadcast of the proceedings related to the formation of a commission to investigate these allegations . Recognizing the significant public interest in the matter, Justice Khan observed that the

courtroom was filled beyond its capacity, with numerous individuals gathered outside . Consequently, he directed the court's IT officials to make immediate arrangements for online streaming of the hearings .

However, the court also expressed its dissatisfaction with the response received from the government, particularly the interior ministry and the FIA, deeming it both slow and incomplete . Justice Khan noted the lack of progress on the matter, which has profound implications for hundreds of lives, since the initial directive issued on September 13, 2024 . Specifically, the court highlighted the interior ministry's failure to provide a definitive statement regarding whether an application for the constitution of an inquiry commission had even been received. Similarly, the FIA had not provided a clear articulation of whether the evidence in question had been fabricated or planted, as alleged by the petitioners .

In a significant development, the IHC had previously advised the government to consider establishing a four-member inquiry commission to investigate the alleged collusion between the FIA and Islamist clerics in these cases . The proposed composition of this commission included a retired judge from either the High Court or the Supreme Court, a retired senior officer from the FIA, an enlightened religious scholar, and a senior expert in information technology . The court had directed the Cabinet Secretary to present this proposal to the federal cabinet for their consideration .

During a hearing held on Thursday, March 28, 2025, Justice Khan continued to hear arguments regarding the potential formation of the commission . He questioned the plaintiffs' legal counsel about their preference for a Joint Investigation Team (JIT) over a commission . While the plaintiffs' lawyer argued that a JIT would possess the authority to take direct action against individuals found guilty, the court raised concerns about whether a commission's report could adequately determine the FIA's authority to act . Justice Khan also suggested in his closing remarks that an independent commission comprising experts would have been a preferable approach to review the matter . He cautioned the counsels to focus their arguments on whether the establishment of a commission was indeed justified based on the merits of the case, clarifying that the central issue was not merely whether FIRs were wrongly registered but whether any wrongdoing occurred prior to their filing . Ultimately, the court adjourned the hearing until after the Eid holidays, indicating that a final decision on the formation of the judicial commission is still pending .

The proactive stance taken by the Islamabad High Court, including the order for live broadcasting and the expression of dissatisfaction with the government's response, strongly suggests a judicial recognition of the profound implications of the "blasphemy business" allegations. This approach indicates a potential inclination towards establishing a judicial commission to ensure a comprehensive and transparent investigation into these serious claims.

#### **IV. Arguments for and Against the Judicial Commission:**

The petitioners advocating for the formation of a judicial commission have presented several key arguments to support their demand. A primary contention is the critical need for an independent investigation into the allegations, particularly due to the reported collusion between certain officials within the FIA and the "blasphemy business" . They argue that such collusion undermines the impartiality of any investigation conducted solely by the FIA. Furthermore, the petitioners seek to have the commission thoroughly assess the legitimacy of the FIRs filed by the FIA against their family members, given the compelling allegations of entrapment and the fabrication of evidence . They firmly believe that an independent commission, with the proposed composition of legal, investigative, religious, and technological expertise, is best equipped to uncover the truth behind the alleged honey-trapping and extortion tactics employed by the "blasphemy business" . The petitioners also draw support from the National Commission for

Human Rights (NCHR), which itself has called for a joint investigation team to examine the motives and actions of private entities involved in the entrapment and exploitation of individuals accused of blasphemy, thus reinforcing the need for an independent inquiry .

Conversely, arguments against the formation of a judicial commission have been presented by legal counsel representing individuals allegedly involved in the racket. Sajjad Akbar, representing Shahzad Khan, an alleged member of the "blasphemy business," challenged the necessity of a commission by asserting that the Punjab Police had, before the Lahore High Court, disavowed its own January 2024 Special Branch report, which is a foundational piece of evidence supporting the allegations . Akbar also argued that the petitioners, being family members of the accused rather than the accused themselves, may lack direct knowledge or legal standing in the cases . He further contended that conducting both existing trials for the accused individuals and a separate judicial commission investigating the same underlying issues would be legally untenable . Additionally, the counsel claimed that the FIA's own investigation had already concluded that the accused individuals had independently uploaded the blasphemous content, thereby negating the need for a commission to investigate entrapment . Akbar also suggested that the FIA's intervention in response to the blasphemy complaints was necessary to prevent potential public vigilantism and mob violence . Notably, Hassan Muawiya, who is the plaintiff in five blasphemy cases related to this matter, voiced his distrust in government institutions and explicitly opposed the formation of a commission . Justice Khan's questioning of Muawiya's reluctance, specifically asking if he feared the commission's potential findings, hints at a possible motivation behind his opposition .

The arguments presented against the judicial commission appear to be strategically aimed at undermining the credibility of the initial evidence supporting the "blasphemy business" allegations and at preserving the legitimacy of the ongoing legal proceedings. These arguments potentially serve to shield the alleged perpetrators and any FIA officials who might be implicated from further independent scrutiny beyond the existing trials, which the petitioners argue may be compromised due to the alleged collusion.

#### **V. The Role of the Federal Investigation Agency (FIA):**

The Federal Investigation Agency (FIA), and in particular its Cybercrime Wing, holds the primary responsibility for investigating and prosecuting cases of online blasphemy within Pakistan . However, in the context of the alleged "blasphemy business," the FIA's role has come under intense scrutiny due to serious allegations of collusion between some of its officials and the criminal enterprise . Both the Punjab Police Special Branch report and the National Commission for Human Rights (NCHR) report have highlighted these disturbing claims, suggesting a potential compromise in the agency's impartiality when dealing with these specific cases .

The NCHR's investigation further uncovered significant procedural violations in the FIA's handling of blasphemy cases related to the alleged "blasphemy business" . These violations reportedly include instances where arrests were carried out by private individuals rather than authorized law enforcement personnel. Furthermore, the NCHR documented disturbing reports of torture inflicted upon detainees both during the initial apprehension and in the immediate aftermath. The commission also found that written statements from detainees were frequently obtained under duress, raising serious questions about the voluntariness and thus the legitimacy of this evidence .

The Islamabad High Court has repeatedly voiced its dissatisfaction with the slow and incomplete response provided by the FIA regarding the petition for a judicial commission . Justice Khan's emphasis on investigating potential wrongdoing that occurred *before* the filing of the FIRs suggests a degree of skepticism towards the FIA's initial investigations and their conclusions that the accused individuals themselves uploaded the blasphemous content . This

scrutiny from the judiciary implies a potential lack of trust in the FIA's ability to conduct a fair and unbiased investigation into the "blasphemy business" allegations, given the serious claims of collusion.

During the hearings, an argument was presented by the counsel for an alleged member of the "blasphemy business" that the FIA's intervention in response to blasphemy complaints was necessary to prevent potential public vigilantism . However, Justice Khan directly challenged this assertion by questioning, "Then who should act if not the FIA?" . This counter-question suggests that while the court acknowledges the importance of preventing mob violence, it also implies that the FIA's methods and the serious allegations of collusion are still subject to judicial review and cannot be excused solely on the grounds of preventing vigilantism.

The confluence of serious allegations against the FIA, coupled with the Islamabad High Court's evident skepticism towards the agency's handling of these cases, raises significant concerns about the FIA's impartiality and overall effectiveness in investigating blasphemy allegations, particularly within the context of the alleged "blasphemy business." This context underscores the petitioners' argument for the necessity of an independent body, such as a judicial commission, to conduct a thorough and unbiased investigation into these grave matters.

#### **VI. Broader Context of Blasphemy Laws in Pakistan:**

Pakistan's blasphemy laws have a historical lineage tracing back to legislation enacted during the British Raj in 1860, which was subsequently expanded in 1927 . Upon gaining independence in 1947, Pakistan inherited these legal provisions . Over time, these laws have been significantly strengthened, particularly during the military regime of General Zia-ul Haq in the 1980s, as part of a broader effort to "Islamize" the legal framework . Several sections within Pakistan's Penal Code constitute the body of these blasphemy laws, with Section 295-C, added in 1986, criminalizing derogatory remarks against Prophet Muhammad and carrying a mandatory death penalty since February 1990 . More recently, in January 2023, further amendments were introduced to increase the severity of penalties for disrespecting the Prophet's companions, wives, and family members .

Human rights organizations have consistently documented the widespread misuse of Pakistan's blasphemy laws. These laws are frequently employed to persecute religious minorities, including Christians and Ahmadis, and to settle personal vendettas, often targeting other Muslims as well . Statistics reveal a disturbing trend: between 1987 and February 2021, at least 1,855 individuals were charged under these laws . Tragically, from 1947 to 2021, at least 89 people in Pakistan were extrajudicially killed based on blasphemy accusations . As of October 2024, over 750 individuals were incarcerated on blasphemy charges . Notably, non-Muslims, who constitute a small fraction of the national population, are disproportionately represented among those accused . The Ahmadi community faces specific legal restrictions under these laws .

The blasphemy laws are highly controversial due to numerous factors. Critics point to the lack of adequate safeguards against false accusations, which often lead to lengthy and unjust imprisonment, and even extrajudicial killings, without substantial evidence . Judges presiding over blasphemy cases have reported facing significant pressure to issue convictions, often due to fear of violence . Furthermore, instances of police inaction during mob attacks on individuals accused of blasphemy have been documented . The rise of extremist groups like Tehreek-e-Labbaik Pakistan (TLP), which openly advocates for the execution of blasphemers, has further exacerbated the situation, contributing to an increase in blasphemy cases filed on ideological grounds . The international community and human rights organizations have repeatedly called for the amendment or repeal of these laws, but these calls have largely been resisted by successive Pakistani governments due to concerns about potential backlash from

influential Islamist groups .

The history and application of Pakistan's blasphemy laws reveal a deeply problematic legal framework susceptible to abuse, with severe repercussions for individuals and society as a whole. This has fostered a climate of fear and injustice, particularly for religious minorities. The alleged "blasphemy business" can be viewed as a particularly egregious manifestation of these systemic issues, demonstrating how these flawed laws can be exploited for criminal purposes, further eroding the rule of law and undermining fundamental human rights.

#### **VII. Recent Blasphemy Sentences and Their Connection:**

In March 2025, a Pakistani court delivered death sentences to five men for the offense of posting blasphemous content online . The verdict was announced on March 26, 2025, in Rawalpindi, a city bordering Islamabad . The case was brought before the court by the Legal Commission on Blasphemy Pakistan, a private organization . In addition to the death sentences, all five individuals were also sentenced to life imprisonment for the desecration of the Quran and an additional ten years of imprisonment for hurting religious sentiments, with all sentences to run concurrently . This sentencing followed a similar case in January 2025, where the same court sentenced four men to death for online blasphemy targeting the Quran and Islamic figures .

The Legal Commission on Blasphemy Pakistan (LCBP), the private group actively involved in prosecuting these recent online blasphemy cases leading to death sentences, has been identified as a highly active "vigilante group" that initiates such legal actions . This organization is suspected of having links to the radical Islamic political party Tehreek-e-Labbaik Pakistan (TLP) and has also been identified in some reports as operating under the same name as part of the alleged "blasphemy business" racket, which reportedly blackmails and extorts money from individuals accused of fabricated blasphemy offenses .

Support groups formed by the families of those convicted and arrested in these online blasphemy cases have voiced serious concerns regarding the consistent pattern of arrests and prosecutions . They have urged the government to establish an independent commission to thoroughly investigate the increasing number of such cases . Furthermore, in March 2025, the arrest of a young Christian man for blasphemy after he was unknowingly added to Facebook chat groups containing offensive content has raised further concerns. Human rights advocates suggest that his case bears the hallmarks of the "honey-trapping" tactics reportedly employed by the "blasphemy business" .

The recent surge in death sentences for online blasphemy, particularly in cases involving the Legal Commission on Blasphemy Pakistan, strongly indicates that the allegations surrounding the "blasphemy business" are not isolated incidents. Instead, they appear to be part of a broader and deeply concerning trend of exploiting online platforms for malicious prosecutions under the guise of blasphemy. The involvement of a group suspected of being central to the "blasphemy business" in these severe sentences, coupled with the consistent patterns of arrests and the case of the Christian man, underscores the urgent need for a thorough and independent investigation into these allegations, as is currently being considered by the Islamabad High Court.

#### **VIII. Public Reaction and Controversies:**

Blasphemy allegations in Pakistan typically elicit strong public reactions, often characterized by intense emotion and a propensity for violence. Even unsubstantiated accusations can quickly ignite public outrage, frequently leading to mob violence and extrajudicial killings of the accused, even before any formal legal proceedings can take place . Human rights organizations and legal experts have consistently and strongly condemned the misuse of Pakistan's blasphemy laws, including the emerging allegations of an organized "blasphemy business." They emphasize that

these laws are frequently used to target religious minorities and settle personal scores . Lawyers have held public conferences to expose the workings of the "blasphemy business," raising awareness and demanding government intervention to address this alarming issue . The sensitivity surrounding blasphemy in Pakistan is further highlighted by the threats and harassment faced by journalists and activists who dare to raise concerns about the misuse of these laws. For instance, journalist Munizae Jahangir received death threats from Islamist elements after discussing the "blasphemy business group" on her television program . This demonstrates the significant personal risks associated with publicly addressing this issue. Within the context of the Islamabad High Court proceedings, some parties, such as Hassan Muawiya, a plaintiff in multiple blasphemy cases, have expressed a lack of trust in government institutions . This distrust could stem from various factors, including concerns about potential bias or the perceived ineffectiveness of these institutions in addressing their grievances. Despite such reservations, the ongoing proceedings in the IHC have generated considerable public interest, as evidenced by the packed courtroom and the court's decision to order a live broadcast of the hearings . This high level of public engagement underscores the widespread concern and desire for accountability regarding the serious allegations of a "blasphemy business" operating within the country.

The public reaction to blasphemy allegations in Pakistan is often volatile and prone to violence, creating a highly charged and potentially dangerous environment for any legal proceedings related to these matters. The exposure of the "blasphemy business" has further heightened public concern and scrutiny of the legal system's ability to address such sensitive and potentially criminal activities.

#### **IX. Legal Basis for a Judicial Commission in Pakistan:**

The Constitution of the Islamic Republic of Pakistan provides the framework for the establishment of judicial bodies. Article 175A, introduced through the 18th Constitutional Amendment and subsequently amended, outlines the process for the appointment of judges to the superior courts through a Judicial Commission . This Judicial Commission of Pakistan (JCP) is primarily responsible for recommending individuals for judicial appointments to the Supreme Court, the Federal Shariat Court, and the High Courts . It is important to distinguish this body from the Supreme Judicial Council, which is a separate constitutional entity established under Article 209 to inquire into the conduct or capacity of judges of the superior courts .

While the constitution specifically provides for the JCP and the Supreme Judicial Council, the legal basis for forming a judicial commission to investigate allegations of criminal activity, such as the "blasphemy business," likely falls under the general framework for inquiry commissions in Pakistan. Although the provided snippets do not explicitly detail the specific laws governing such commissions, it is generally understood that governments possess the authority to establish inquiry commissions to investigate matters of public importance, gather evidence, and formulate recommendations. These commissions typically have the power to summon witnesses and request the production of relevant documents.

In the context of the "blasphemy business," a judicial commission, distinct from both the JCP and the Supreme Judicial Council, could be legally constituted under the existing laws pertaining to inquiry commissions. This would allow for a focused investigation into the specific allegations of a criminal racket and potential collusion within the FIA related to blasphemy cases. The composition of the commission suggested by the Islamabad High Court – including a retired judge, a retired FIA officer, a religious scholar, and an IT expert – indicates an intention to create a body with the diverse expertise necessary to thoroughly examine the legal, investigative, religious, and technical dimensions of these complex allegations . Furthermore, the potential terms of reference outlined by the IHC, such as investigating the abuse of

blasphemy laws, identifying perpetrators, and examining potential funding sources, would provide the commission with a clear mandate and the necessary authority to conduct an effective inquiry .

While the constitution lays the groundwork for judicial oversight, the establishment of a judicial commission to investigate the "blasphemy business" would likely rely on the broader legal framework governing inquiry commissions in Pakistan. Such a commission, if formed, would require a clearly defined mandate and sufficient powers to conduct a comprehensive and effective investigation into these serious allegations.

#### **X. Potential Impact and Recommendations:**

If the allegations of an organized "blasphemy business" are substantiated, the impact could be far-reaching. Firstly, it would expose the significant extent to which Pakistan's blasphemy laws are being misused for the purpose of financial extortion, revealing a deeply concerning vulnerability within the legal system . Secondly, it could lead to the accountability of the perpetrators involved, including the potential prosecution of any FIA officials found to be complicit in the racket, thereby addressing the serious claims of official collusion . Thirdly, proving these allegations could pave the way for the review and potential overturning of convictions, leading to the release of the hundreds of individuals who have been wrongly accused and detained as part of this alleged enterprise . Fourthly, such findings would likely severely undermine the credibility and influence of organizations like the Legal Commission on Blasphemy Pakistan, which are suspected of being deeply involved in these activities . Finally, substantiating the claims of a "blasphemy business" would provide further compelling evidence for the urgent need for comprehensive reforms to Pakistan's blasphemy laws to prevent their continued misuse and exploitation .

Based on the analysis of the current situation, several recommendations for legal and policy reforms are pertinent:

Firstly, the immediate formation of an independent judicial commission with broad investigative powers to thoroughly investigate the "blasphemy business" allegations is crucial. Given the serious nature of the claims and the potential involvement of state actors, an impartial inquiry is essential to uncover the truth and ensure accountability.

Secondly, a comprehensive review and reform of Pakistan's blasphemy laws are urgently needed. This should include the introduction of stricter requirements for filing complaints, ensuring thorough investigations are conducted before any arrests are made, and imposing significant penalties for individuals who file false accusations, thereby acting as a deterrent against misuse .

Thirdly, it is imperative to strengthen oversight and accountability mechanisms within the FIA and other law enforcement agencies. This is necessary to prevent any future collusion with criminal elements and to ensure that all investigations are conducted with impartiality, professionalism, and adherence to due process.

Fourthly, the government should provide comprehensive legal and psychological support to the victims of false blasphemy accusations and their families. These individuals often face immense social stigma, financial hardship, and severe trauma as a result of these baseless allegations .

Fifthly, public awareness campaigns should be launched to educate citizens about the potential for misuse of blasphemy laws and the deceptive tactics employed in online entrapment schemes, thereby empowering individuals to protect themselves from such victimization .

Finally, the government must take concrete steps to ensure the safety and protection of judges, lawyers, journalists, and activists who are involved in blasphemy-related cases, as they often face threats, intimidation, and violence for their work in this highly sensitive area .

Addressing the "blasphemy business" effectively requires a multi-pronged approach that not



only focuses on investigating and prosecuting the perpetrators but also involves implementing systemic reforms to the blasphemy laws themselves and the institutions responsible for their enforcement. This is essential to prevent future exploitation, safeguard fundamental human rights, and uphold the principles of justice and the rule of law in Pakistan.

### Table 1: Timeline of Key Events in the "Blasphemy Business" Case

## XI. Conclusion:

significant implications for the broader human rights landscape in Pakistan, particularly concerning the rights of religious minorities and the rule of law. Addressing this issue effectively requires a commitment to truth, justice, and a willingness to undertake meaningful legal and policy reforms to prevent the continued misuse and exploitation of blasphemy laws in the future.

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